

**COMMONWEALTH OF MASSACHUSETTS**  
**DEPARTMENT OF TELECOMMUNICATIONS AND ENERGY**

	)	
Verizon New England Inc. d/b/a Verizon Massachusetts	)	D.T.E. 03-50
Performance Assurance Plan	)	
	)	

**VERIZON MASSACHUSETTS' MOTION  
FOR LEAVE TO FILE  
A RESPONSE TO AT&T'S OPPOSITION**

Verizon Massachusetts ("Verizon MA") hereby moves for leave to file a response to AT&T Communications of New England, Inc.'s ("AT&T") Opposition to Verizon MA's Motion for Confidential Treatment in the above proceeding. Verizon MA requests that it be allowed to file its response no later than five business days following the Department's ruling on this Motion. Verizon MA's request should be granted for the following reasons.

First, in its Opposition, AT&T makes various claims regarding the Carrier-to-Carrier Metric Algorithms ("CMAs") filed by Verizon MA in accordance with the Massachusetts Performance Assurance Plan ("PAP"), as well as the computer code created by Verizon MA to discern those algorithms. The Department should afford Verizon MA the opportunity to address those unfounded claims and demonstrate that the information is confidential in nature and protected by copyright law thereby entitling it to protection under applicable law.

Second, no party in this proceeding will be harmed by allowing Verizon MA to respond to AT&T's Opposition. Verizon MA's request to file its response within five business days after the Department's ruling is fair and reasonable in light of the arguments made by AT&T. Moreover, granting this request will not delay the proceeding as the Department has not determined whether it will proceed to examine any issues at this time, and, consequently, has not set any schedule for further proceedings.

Verizon MA contacted counsel for AT&T regarding this motion. AT&T's counsel was unwilling to assent to this reasonable request.

WHEREFORE, Verizon MA respectfully requests that the Department grant this Motion and allow Verizon MA to respond to AT&T's opposition to maintaining the confidentiality of the CMA and related data.

Respectfully submitted,

VERIZON MASSACHUSETTS

---

Bruce P. Beausejour  
185 Franklin Street, 13<sup>th</sup> Floor  
Boston, Massachusetts 02110-1585  
(617) 743-2445

Dated: September 24, 2003